

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THOMAS MARMOLEJAS, AKA THOMAS
MARMOLEJOS,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

20-CV-4974 (DC)
05-CV-10693 (DC)
99-CR-1048-03 (DC)

ORDER

CHIN, Circuit Judge:

On June 24, 2020, the Clerk of Court was directed to (1) docket the circuit court's June 22, 2020 mandate (*see* Crim. Dkt. No. 212) on the docket of closed case number 05-CV-10693; (2) separate the mandate from the successive § 2255 petition attached thereto; and (3) create a new docket entry on the same civil case number (05-CV-10693) consisting exclusively of the petition, which shall be treated as Thomas Marmolejas's successive § 2255 motion. But in addition to following the Court's instructions, the Clerk of Court also opened the successive § 2255 petition as a new civil action and assigned it docket number 20-CV-4974. This was done in error.

The Court therefore respectfully requests that the Clerk of Court: (1) administratively close the action under docket number 20-CV-4974; and (2) reopen the closed case under docket number 05-CV-10693.

This order closes the case under docket number 20-CV-4974. All further papers filed or submitted for filing must include the criminal docket number, 99-CR-1048-03, and will be docketed in the criminal case.

SO ORDERED.

Dated: July 27, 2020
New York, New York

s/Denny Chin
DENNY CHIN
United States Circuit Judge
Sitting by Designation